

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

GARY L. MCCOY,

Plaintiff,

Case No. 3:17-cv-432

vs.

DR. RODNEY L. CARLSON, *et al.*,

Defendants.

District Judge Thomas M. Rose  
Magistrate Judge Michael J. Newman

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**ORDER AND ENTRY: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE (DOC. 169); (2) GRANTING PLAINTIFF'S MOTION TO VOLUNTARILY DISMISS THIS ACTION (DOC. 168); (3) DENYING AS MOOT DEFENDANT RAY'S MOTION TO DISMISS (DOC. 166); AND (4) TERMINATING THIS CASE ON THE COURT'S DOCKET**

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The Court has reviewed the Report and Recommendation of Magistrate Judge Michael J. Newman (doc. 169), to whom this case was referred pursuant to 28 U.S.C. § 636(b). The parties have not filed objections to the Report and Recommendation and the time for doing so under Fed. R. Civ. P. 72(b) has expired. Accordingly, the Court: (1) **ADOPTS** the Report and Recommendation of the Magistrate Judge (doc. 169) in its entirety; (2) **GRANTS** Plaintiff's motion to voluntarily dismiss this action (doc. 168); (3) **DENIES AS MOOT** Defendant Ray's motion to dismiss (doc. 166); and (4) **TERMINATES** this case on the Court's docket.

**IT IS SO ORDERED.**

Date: May 12, 2020

\*s/Thomas M. Rose  
Thomas M. Rose  
United States District Judge